

# Court of Appeals, State of Michigan

## ORDER

People of MI v Eugene T Floyd

Docket No. 296205

LC No. 98-005373

Cynthia Diane Stephens  
Presiding Judge

Kirsten Frank Kelly

Karen M. Fort Hood  
Judges

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The Court orders that the motion to waive fees is GRANTED for this case only.

The delayed application for leave to appeal the April 8, 2009, order of the Wayne Circuit Court is DISMISSED for lack of jurisdiction. Because defendant previously appealed his conviction as of right and by application, he could seek relief in the circuit court only under the procedures provided by Subchapter 6.500 of the Michigan Court Rules. See MCR 6.429(B)(4). Defendant already filed a motion for relief from judgment and cannot appeal the denial or rejection of a successive motion for relief from judgment. See MCR 6.502(G)(1). None of the exceptions found in MCR 6.502(G)(2) are applicable.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR 05 2010

Date

*Sandra Schultz Mengel*  
Chief Clerk